



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,992	04/12/2005	Yoshiyuki Udagawa	258513US0PCT	1958
22850	7590	12/26/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER	
			WYROZEBSKI LEE, KATARZYNA I	
		ART UNIT	PAPER NUMBER	
		1796		
		NOTIFICATION DATE	DELIVERY MODE	
		12/26/2008	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Attachment to the Advisory

Applicants amendment submitted for prosecution after final rejection has been considered. Applicants have amended the scope of the instant invention, which amendment changed the scope of the invention, since the compound required by the instant claims is no longer a carbonyl compound but a carboxyl group containing compound. Although carbonyl compounds include aldehydes and ketones, term carboxyl is much wider in its scope and it include carboxylic acids, esters and the like. The scope encompassed by changing the functionality of the compound from carbonyl to carboxyl has not been examined.

Applicant's claims further comprise new limitation of mixing carboxyl containing compound and inorganic filler with dispersion of liquid diene rubber. Although the step provides a process limitation, it should be noted that in order to obtain the composition the ingredients have to be mixed.

In view of the above discussion, the applicant's amendment will not be entered since it contains new issues and considerations.

Terminal disclaimers to obviate Double Patenting rejection over co-pending application 10/129,330 has not been filed.

Certified JP priority documents have not been received, application contains 3 outstanding anticipation rejections.

Art Unit: 1796

FOAM contains objection to specification for containing new matter, which objection was not withdrawn. The objection was directed to preliminary amendment to the specification, which changed term "amino acrylates" to "aminoalkyl acrylates" where term alkyl was viewed as new matter, since not all alkyls have been defined in the particular examples in the specification. Alkyls can have as many as 100 carbon atoms, which is not within scope of the instant invention.

In order for the amendment to be entered the applicants may file an RCE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katarzyna Wyrozebski whose telephone number is (571) 272-1127. The examiner can normally be reached on Mon-Thurs 8:30 AM-2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/506,992

Page 4

Art Unit: 1796

/Katarzyna Wyrozebski/

Primary Examiner, Art Unit 1796

December 22, 2008